

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                                |   |                          |
|--------------------------------|---|--------------------------|
| CALVIN JEROME BROOKS, #179333, | ) |                          |
|                                | ) |                          |
| Plaintiff,                     | ) |                          |
|                                | ) |                          |
| v.                             | ) | CASE NO. 2:20-cv-899-ECM |
|                                | ) |                          |
| JOHN CROW, <i>et al.</i> ,     | ) |                          |
|                                | ) |                          |
| Defendants.                    | ) |                          |

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| CALVIN JEROME BROOKS, #179333, | ) |                          |
|                                | ) |                          |
| Plaintiff,                     | ) |                          |
|                                | ) |                          |
| v.                             | ) | CASE NO. 2:20-cv-906-ECM |
|                                | ) |                          |
| CASSANDRA CONWAY,              | ) |                          |
|                                | ) |                          |
| Defendant.                     | ) |                          |

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| CALVIN JEROME BROOKS, #179333, | ) |                          |
|                                | ) |                          |
| Plaintiff,                     | ) |                          |
|                                | ) |                          |
| v.                             | ) | CASE NO. 2:21-cv-197-ECM |
|                                | ) |                          |
| LT. JONES, <i>et al.</i> ,     | ) |                          |
|                                | ) |                          |
| Defendants.                    | ) |                          |

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**MEMORANDUM OPINION and ORDER**

On March 6, 2024, the Magistrate Judge entered a Recommendation (doc. 57) to which no timely objections have been filed. Upon an independent review of the file and upon consideration of the Recommendation, it is

ORDERED as follows:

1. The Recommendation of the Magistrate Judge (doc. 57) is ADOPTED;
2. The Defendants' Answer and Special Reports (docs. 17, 40, 56) are construed as motions for summary judgment, and the motions for summary judgment (docs. 17, 40, 56) are GRANTED IN PART and DENIED IN PART as follows:
  - a. The motions (docs. 17, 40, 56) are GRANTED to the extent that the claims for monetary damages against the Defendants in their official capacities and the 42 U.S.C. § 1983 failure to protect claim against Defendants Crow, McCoy, and Conway in their individual capacities are DISMISSED with prejudice;
  - b. The motions (docs. 17, 40, 56) are DENIED as to the Plaintiff's First Amendment retaliation claim against Defendants Jones and Danzey in their individual capacities;
  - c. Defendants Crow, McCoy, and Conway are DISMISSED as defendants;
3. This case will be set for a bench trial by separate Order;
4. This case is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 22nd day of March, 2024.

/s/ Emily C. Marks  
EMILY C. MARKS  
CHIEF UNITED STATES DISTRICT JUDGE